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Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE
YANG IN SUPPORT OF WAYMO
LLC'S ADMINISTRATIVE MOTION
TO FILE UNDER SEAL ITS
RESPONSE TO DEFENDANTS'
SUBMISSION OF MICHAEL
WAGNER'S DEPOSITION
TESTIMONY (DKT. 1834)**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
3 declaration based upon matters within my own personal knowledge and if called as a witness, I
4 could and would competently testify to the matters set forth herein. I make this declaration in
5 support of Waymo LLC's Administrative Motion to File Under Seal Its Response to Defendants'
6 Submission of Michael Wagner's Deposition Testimony (Dkt. 1834).

7 2. I have reviewed the following documents and confirmed that only the portions
8 identified below merit sealing:

9

Document	Portions to Be Filed Under Seal
Waymo's Response	Red Boxes

10
11

12 3. The red boxes of Waymo's Response contain highly confidential information
13 regarding certain business agreements, including specific financial terms of the agreements. This
14 information is not publicly known, and its confidentiality is strictly maintained. I understand that
15 disclosure of this information could allow competitors and counterparties to gain insight into how
16 Uber structures its business agreements, including detailed information about financial terms
17 offered by Uber, allowing them to tailor their own negotiation or business strategy to the
18 detriment of Uber.

19 4. The red boxes in Waymo's Response also contain highly confidential information
20 regarding Uber's financial forecasts based on hypothetical assumptions, as well as development
21 timeline estimates and business operating details. These financial forecasts, development
22 timeline estimates, and business operating details are maintained as confidential, and their
23 disclosure could allow competitors to acquire knowledge into Uber's internal assumptions,
24 business strategy, and company operations. Disclosure of this information could significantly
25 harm Uber's competitive standing.

26 5. Defendants' request to seal is narrowly tailored to the portions of Waymo's
27 Motion and its supporting papers that merit sealing.
28

1 I declare under penalty of perjury that the foregoing is true and correct. Executed this 2nd
2 day of October, 2017 in San Francisco, California.

3
4 /s/ Michelle Yang

Michelle Yang

5
6
7
8 **ATTESTATION OF E-FILED SIGNATURE**

9 I, Arturo J. Gonzalez, am the ECF User whose ID and password are being used to file this
10 Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has
11 concurred in this filing.

12
13 Dated: October 2, 2017

/s/ Arturo J. Gonzalez

ARTURO J. GONZALEZ